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## POLICY

### **Family Independence Program (FIP), Refugee Cash Assistance (RCA), State Disability Assistance (SDA), Child Development and Care (CDC), Medicaid (MA), Food Assistance (FAP)**

To be eligible, a person must be a Michigan resident. Bridges uses the requirements in the Residence section in this item to determine if a person is a Michigan resident.

See BAM 110, where to apply/process applications.

#### **Medicaid Only**

Bridges uses the requirements in the Institutionalized Persons section in this item when the fiscal group consists of **only** a person in, or expected to be in, an institution the entire calendar month being evaluated and certified.

In all other situations, it uses the requirements in the **Residence** section, based on circumstances for the calendar month being evaluated and certified.

## RESIDENCE

#### **FIP, SDA**

A person is a resident if **all** of the following apply:

- Is not receiving assistance from another state.
- Is living in Michigan, except for a temporary absence.
- Intends to remain in the state permanently or indefinitely.

#### **CDC and FAP**

A person is considered a resident while living in Michigan for any purpose **other than a vacation**, even if there is no intent to remain in the state permanently or indefinitely. Eligible persons may include:

- Persons who entered the state with a job commitment or to seek employment; and
- Students (for FAP **only**, this includes students living at home during a school break.)

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### Medicaid

A Michigan resident is an individual who is living in Michigan except for a temporary absence.

Residency continues for an individual who is temporarily absent from Michigan or intends to return to Michigan when the purpose of the absence has been accomplished.

**Example:** Individuals who spend the winter months in a warmer climate and return to their home in the spring. They remain MI residents during the winter months.

**Example:** College students who attend school out of state but return home during semester breaks or for the summer can remain MI residents.

### HOMELESS PERSONS

FIP, SDA, RCA,  
MA, and FAP

A **homeless person** is an individual who lacks a fixed and regular nighttime dwelling **or** whose temporary night time dwelling is one of the following:

- Supervised private or public shelter for the homeless.
- Halfway house or similar facility to accommodate persons released from institutions.
- Home of another person.
- Place not designed or ordinarily used as a dwelling (for example, a building entrance or hallway, bus station, park, campsite, vehicle).

Lack of a permanent dwelling or fixed mailing address does not affect an individual's state residence status. Assistance cannot be denied **solely** because the individual has no permanent dwelling or fixed address.

Use the local office address or another location agreeable to the individual as the mailing address in Bridges. Do not designate a temporary mailing address as the individual's physical address.

**CDC Only**

Homeless policy can be found in BEM 703.

**INSTITUTIONALIZED  
PERSONS****FIP, SDA, and  
Medicaid**

An **institution** is an establishment that furnishes food, shelter and some treatment or services to more than three people unrelated to the proprietor. For SDA clients, this also includes group living facilities; see BEM 615.

**Medicaid Only**

In this section only, **institution** includes an out-of-state foster care home licensed by that state that provides food, shelter and supportive services to at least **one** person unrelated to the proprietor.

**OUT-OF-STATE  
PLACEMENTS****FIP and SDA**

Incompetent adults and dependent children are sometimes placed in another state by a person or agency legally responsible for their care. The individual remains a Michigan resident **unless** the move is to establish a permanent out-of-state home.

**Note:** An incompetent adult or dependent child placed in Michigan from another state is not a Michigan resident **unless** the move is to establish a permanent home in Michigan.

**Medicaid Only**

An individual is a Michigan resident if placed in an out-of-state institution by a Michigan agency (for example, MDHHS, juvenile court). An individual is not a Michigan resident if placed in a Michigan institution by another state's agency.

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## DETERMINATION OF CAPABILITY

### Medicaid Only

If the individual is institutionalized, first determine whether he/she is capable or incapable of indicating his/her intent to remain in the state.

**Exception:** This does not apply to out-of-state placements (see above) **or** to unmarried persons under age 18.

Consider an individual capable of indicating intent **unless** one of the following factors is documented:

- IQ under 50.
- Mental age under 8.
- Judgment of incompetence by a court.
- In a psychiatric facility by court order.
- Determined incapable by the medical review team.

## CAPABLE PERSONS AT LEAST AGE 18 OR MARRIED

### Medicaid Only

An institutionalized, capable individual at least age 18 or married has Michigan residence **if** the individual lives in Michigan **and** intends to remain in the state permanently or indefinitely.

**Exception:** An individual remains a Michigan resident if the individual:

- Is currently in an out-of-state LTC facility, **and**
- Was a Michigan resident immediately prior to entering the LTC facility.

**Note:** A Michigan resident who voluntarily enters an out-of-state long-term care facility on or after October 1, 2007 is not considered a Michigan resident for Medicaid purposes.

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**UNDER AGE 18 AND  
UNMARRIED; OR  
INCAPABLE  
BEFORE AGE 21****Medicaid Only**

An individual who (1) is under age 18 and unmarried, or (2) became incapable of indicating intent before age 21, has Michigan residence in **any** of the following circumstances:

- One of his legal parents lives in Michigan **or** did so at the time of the institutional placement.
- Parental rights of his parents were terminated; the court appointed a legal guardian for him; and the guardian lives in Michigan **or** did so at the time of the institutional placement.
- He was abandoned by his parents **and** he does not have a court-appointed legal guardian, **but** a person who lives in Michigan completed the most recent application for him.

**INCAPABLE AT OR  
AFTER AGE 21****Medicaid Only**

An institutionalized individual who became incapable at or after age 21 has Michigan residence **if** physically present in Michigan and not placed by an out-of-state agency.

**Note:** A Michigan resident who voluntarily enters an out-of-state long-term care facility on or after October 1, 2007 is not considered a Michigan resident for Medicaid purposes.

**VERIFICATION  
REQUIREMENTS**

Record the verification source in Bridges for all items below that have a verification source field. Bridges will list them on a DHS-3503, Verification Checklist if they are not verified or if the verification source is not valid for the program(s) on the case.

**Assistance from  
Another State****FIP and SDA only**

Verify receipt of assistance from another state; see BEM 222.

**Address****FIP, SDA, CDC**

Verify the individual's address, unless homeless.

**FAP only**

Verify that the individual lives in the area your office serves. However, do not deny benefits to an individual with no permanent address (e.g., new arrival, migrant, homeless) **solely** for lack of a verified address. The lack of this verification and reason for it must be documented.

**Intent to Remain in  
Michigan****FIP and SDA**

Accept an individual's statement of intent to remain in Michigan **unless** the statement is inconsistent or conflicts with known facts.

**Intent to Return to  
Michigan****FIP and SDA**

If an individual is temporarily absent from Michigan, verify the intent to return; see **verification sources** in this item.

**Job Commitment/  
Seeking  
Employment****CDC only**

Accept an individual's statement of entering the state with a job commitment or to seek employment **unless** it is inconsistent or conflicts with known facts.

**Incapability to  
Indicate Intent****Medicaid Only**

Verify an institutionalized individual's incapability to indicate intent **unless** he is:

- An out-of-state placement, as defined in this item, **or**
- Under age 18 and unmarried.

**VERIFICATION  
SOURCES****Address****FIP, SDA, FAP and CDC**

- Driver's license.
- Other ID which provides a name **and** address.
- Mortgage or rent receipt.
- Utility bill.
- Collateral contact with a person who knows the individual's living arrangement.

**FAP only**

**Exception:** Verification of residence is not needed for categorically eligible groups; see BEM 213.

**Medicaid Only**

Verification of residence is not needed.

**Intent to Return to  
Michigan****FIP and SDA**

- Evidence that rent, property taxes, utilities or house payments in Michigan are being paid.
- Evidence that a local job is being held for the individual.
- Evidence that the reason for the absence implies intent to remain a Michigan resident.

**Incapability to  
Indicate Intent****Medicaid Only**

- Medical evidence of an IQ under 50 or mental age under 8. Use a DHS-49D, Psychiatric Examination Report, or other professional medical certification.
- Legal evidence of a court judgment of incompetence or court-ordered placement in a psychiatric facility. Use copies of court documents or other official legal evidence.
- Follow the procedures in BAM 815 to obtain medical evidence or make a referral to the medical review team.

**LEGAL BASE****FIP**

42 USC 602(a) (1) (A) (i)  
MCL 400.32  
Annual Appropriations Act

**MA**

42 CFR 435.403  
Section 11005 of P.L. 99-570  
Social Security Act, Sections 1902(a) (48), 1902(b)(2)  
MCL 400.32  
The Patient Protection and Affordable Care Act (Pub. L. 111-148)  
and the Health Care and Education Reconciliation Act (Pub. L. 111-152).

**FAP**

7 CFR 273.2 (f)(1)(vi), .3  
7 CFR 271.2  
7 U.S.C. 2012(m)

**SDA**

DHS Annual Appropriations Act  
Mich Admin Code, R 400.3151 – 400.3180

**CDC**

The Child Care and Development Block Grant (CCDBG) Act (42 USC § 9858 et seq.), as amended by the CCDBG Act of 2014 (Pub. L. 113-186).  
45 CFR Parts 98 and 99.  
Social Security Act, as amended 2016.